

**SUBJECT:** A report and recommendation on a proposed zone change from CG-A Commercial General - Auto to PD Planned Development District at the property outside the southeast corner of Planned Development District #36 (PD-36) in Oakley.

**GENERAL INFORMATION:**

**Petitioner:** City of Cincinnati, Office of the City Manager

**Purpose:** The proposed Millworks development was designated as Planned Development (PD) District #36 (PD-36) in 2004. The property in question is included in the Millworks development, but has not yet been included in PD-36, the zoning district that guides the Millworks development.

**BACKGROUND:**

*Millworks Town Center* is a proposed new development in Oakley comprised of approximately 625,000 square feet of office space, 300,000 square feet of retail space, a 76,000 square foot entertainment facility, and up to 750,000 square feet of residential space. The majority (74 acres) of the Millworks development is already designated as PD-36. The property proposed for a zone change is approximately 2 acres in size and is located in the southeast corner of the project site (as shown on the attached map).

**EXISTING CONDITIONS:**

This property, currently owned by Crossroads Community Church and the City of Cincinnati, is currently street right-of-way on Marburg Avenue and parking for Crossroads Church. It is proposed to be the site of a portion of a building and surrounding parking as part of the Millworks development. This property is expected to be transferred to Millworks Town Center L.L.C. sometime in late 2006.

The property surrounding the area for rezoning is as follows:

North: CG-A (Commercial General - Auto)

West: PD-36 (Planned Development District #36)

South: MG (Manufacturing General)

East: MG (Manufacturing General)

**SUMMARY OF THE CONCEPT PLAN:**

The proposed *Millworks Town Center* is a phased development consisting of approximately 27 buildings totaling approximately 625,000 square feet of office space, 300,000 square feet of retail space, 76,000 square feet of entertainment space, and up to 750,000 square feet of residential space. Approximately 3,000 parking spaces will be provided on surface lots and additional parking would be possible in a proposed multi-level parking structure.

As part of the Development Agreement between the City of Cincinnati and Millworks Town Center, L.L.C., the developer has pledged to construct, with private funds, a new roadway to replace Vandercar Way. This new road will be dedicated to the City as a public roadway. The new roadway will connect Madison Road to Marburg Avenue, and will eliminate the need for the part of Marburg Avenue between Vandercar Way and Madison Road. The developer plans to remove the traffic signal and street lighting and construct driveway aprons at both ends of the former street. The traffic signal(s) at the intersection of the new roadway and Marburg Avenue will be a partial-private signal(s). The new roadway, as well as the area along Marburg Avenue between Madison Road and Ibsen Avenue will feature Hadco lights, or

equivalent luminaries and poles approved by the City of Cincinnati, similar to those installed in the adjacent Center of Cincinnati development.

The developer will also construct sidewalks, tree lawns, and signals that are consistent with City specifications and those of the adjacent Center of Cincinnati development.

**BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:**

According to Section 1429-05 of the Cincinnati Zoning Code, a PD District and development within a PD District must comply with the following:

- (a) *Minimum Area* – The minimum area of a PD must be two contiguous acres. The property requested for rezoning is approximately 2 acres in size; the property already within PD-36 is 74 acres in size.
- (b) *Ownership* – Millworks Town Center L.L.C. is in the process of assembling all parcels. All current property owners are aware of this request and none are in opposition.
- (c) *Multiple buildings on a lot* – more than one building is allowed on a lot. There will be a total of approximately 27 buildings on this site.
- (d) *Historic Landmarks and Districts* – the site is not in a historic district nor does it contain any historic landmarks.
- (e) *Hillside Overlay Districts* – the site is not located in a Hillside Overlay District.
- (f) *Urban Design Overlay District* – the site is not located within an Urban Design Overlay District.

**CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:**

According to Section 1429-09 of the Cincinnati Zoning Code, a petition to rezone a property to PD must include a concept plan and development program statement. The purpose is to describe the proposed use or uses to be conducted in the PD District. The concept plan must include text or diagrams that specify:

- (a) *Plan Elements* – the applicant has submitted a new concept plan for the site that includes the property in question. The concept plan includes sufficient information regarding proposed land uses, building location, streets and driveways, and building set back lines (please see attached site plan).
- (b) *Ownership* – the applicant is in the process of acquiring all property.
- (c) *Schedule* – The overall schedule is dependent upon the construction of the Kennedy Connector Road, which is expected to begin in July 2007. Depending on market conditions, primary Millworks construction is proposed as follows: Phase I, fourth quarter 2006 – third quarter 2008; Phase II, first quarter 2007 – third quarter 2008. All buildings will be completed and open by fourth quarter 2010.
- (d) *Preliminary Reviews* – All utilities are available to the site and at adequate capacities. Millworks Town Center L.L.C. has been coordinating the infrastructure design with MSD, Greater Cincinnati Water Works and other City departments including the Department of Transportation and Engineering. To ensure that all proposed infrastructure is sufficient, Planning Staff will circulate a copy of the final development plan to these City departments upon submission.
- (e) *Density and Open Space* – The open space area comprise approximately 4 acres of the site.

**PLANS:**

This property is within the Oakley North Urban Renewal Plan, adopted in 2001 and amended to include the retail land use for this project in 2005. Another amendment to include the residential land use has been proposed in 2006 and is currently in the approval process.

**PUBLIC COMMENT:**

A public Staff Conference was held on June 20, 2006. There were no attendees. However, this project is discussed nearly every month at the Oakley Community Council meetings and the developer of the Millworks Town Center, along with City staff, has worked to keep the Community Council and surrounding property owners up to date on the progress of the development. The Oakley Community Council voted to support the change of zoning on July 11, 2006.

**CITY PLANNING COMMISSION ACTION:**

According to Section 1429-11(a) of the Cincinnati Zoning Code, City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;

*The Millworks Town Center development is consistent with the Oakley North Urban Renewal Plan as amended in 2005 and as proposed to be amended in 2006. It is compatible with surrounding development as it is bound by industrial, retail and other commercial development on all sides.*

2. The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;

*The Millworks Town Center development proposes a unique design featuring mixed-uses. Traditional commercial zoning would not have allowed the flexibility needed to accomplish this site design.*

3. Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;

*The property currently zoned CG-A Commercial General - Auto, currently allows more intensive uses than the new development proposes. The mixed-use nature of this development will add to the other positive developments in the Oakley neighborhood and will greatly enhance the area.*

4. The PD concept plan and development program statement includes adequate provisions for utility services, refuse collection, open space, landscaping, buffering, pedestrian circulation, traffic circulation, building design and building location.

*All aspects are covered in the concept plan as submitted.*

### **FINAL DEVELOPMENT PLAN:**

Pursuant to Section 1429-13 *Final Development Plan*, a final development plan and program statement would be submitted to City Planning Commission after approval of the concept plan and Planned Development (PD) designation by City Council.

A final development plan must be filed for any portion of an approved concept plan that the applicant wishes to develop and this plan must conform substantially to the approved concept plan and development program statement. The final development plan requirements anticipate changes from the concept plan by requiring significantly more detail. Approval of the final development plan would allow the developer to obtain building permits. The process allows the City Planning Commission to authorize Staff to approve minor amendments that might become necessary and outlines the process for major amendments that must be reviewed and approved.

### **CONCLUSIONS:**

1. The re-zoning of the property outside the southeast corner of Planned Development District #36 (PD-36) in Oakley is necessary for construction of the proposed *Millworks Town Center* development.
2. The applicant has submitted a satisfactory updated concept plan and has successfully met all basic requirements of the Planned Development District.

### **RECOMMENDATION:**

The staff of the Department of Community Development and Planning recommends that the City Planning Commission take the following action:

1. **Accept** the revised concept plan for the proposed *Millworks Town Center* development; and
2. **Approve** the zone change from CG-A Commercial General - Auto District to PD Planned Development District at the property outside the southeast corner of Planned Development District #36 (PD-36) in Oakley, contingent upon the sale of the property to Millworks Town Center L.L.C.

APPROVED:

Respectfully Submitted,

Margaret A. Wuerstle, AICP  
Chief City Planner

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Senior City Planner

### **Attachments**

- I Map of location of zone change
- II Revised Concept Plan for Millworks Town Center

